

A SUBSTITUTE ORDINANCE**BY: FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (INTERGOVERNMENTAL GRANT FUND - 2501) BUDGET IN THE AMOUNT OF THREE HUNDRED NINETY THOUSAND DOLLARS AND NO CENTS (\$390,000.00) BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS FUNDS FOR THE GRANT FROM THE ENVIRONMENTAL PROTECTION AGENCY, ("EPA") PER THE INTERGOVERNMENTAL AGREEMENT WITH ("EPA") FOR THE DESIGN AND CONSTRUCTION OF THE MCDANIEL BRANCH STREAM RESTORATION PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, The Environmental Protection Agency, ("EPA") entered into an Intergovernmental Agreement with the City of Atlanta and \$390,000.00 was granted by the "EPA" for the design and construction of the McDaniel Branch Stream Restoration Project pursuant to Resolution 08-R-2055; and

WHEREAS, The EPA provides Section 319(h) grants for the purpose of funding a activities including technical assistance, financial assistance, education, training, technology transfer, demonstration projects, and monitoring to assess the success of specific nonpoint source implementation projects; and

WHEREAS, The City of Atlanta ("City") has accepted an EPA Clean Water Grant for the purpose of funding the McDaniel Branch Watershed Improvement Plan-Stream Restoration Project in the amount of \$390,000, funding sixty percent (60%) of the total cost of the project with a forty percent (40%) local match pursuant to Resolution 08R2055 adopted by the City Council November 3, 2008 and approved by the Mayor November 6, 2008; and

WHEREAS, the portion of the City's match shall be paid from the listed Fund Department Organization and Account Nnumbers in the following amounts: (\$83,000) -5051 (Water & Wastewater Revenue Fund) 170602 (DWM Greenway Planning) 5212002 (Consulting Professional Services) 7410000 (Planning & Zoning) and (\$177,000) 5051 (Water & Wastewater Revenue Fund) 170602 (DWM Greenway Planning) 5222003 (Operating Lease/Rental Equip.) 7410000 (Planning & Zoning); and

WHEREAS, the funding of the McDaniel Branch Watershed Improvement Plan-Stream Restoration Project has been budgeted in FY 2010 with the remainder provided for in FY 2011 budget subject to and expressly contingent upon the City's adoption and approval of the FY 2011 budget and the appropriation of sufficient funds to the associated funding sources.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1: That the Chief Financial Officer is authorized to amend the FY 2010 (Intergovernmental Gran Fund – 2501) Budget as follows:

ADD TO ANTICIPATIONS

The amount of: \$390,000.00

PTAEO:

<u>McDaniel Branch Stream Restoration</u>	<u>Task</u>	<u>Intergovernmental Grant Fund</u>	<u>Professional and Consultant Services</u>	<u>City of Atlanta</u>
17210725	101	25013XXXX	5XXXXXX	COA

FDOA:

<u>Intergovernmental Grant Fund</u>	<u>DWM Greenway Planning & Acquisitions</u>	<u>Federal-Direct (OC) Received Direct</u>	<u>Planning and Zoning</u>	
2501	170602	3311101	7410000	

<u>McDaniel Branch Stream Restoration</u>	<u>To Be Determined by DOF</u>	<u>Default</u>	<u>Default</u>	<u>Default</u>
210725	XXXXX	0000	00000000	00000000

ADD TO APPROPRIATIONS

The amount of: \$390,000.00

PTAEO:

<u>McDaniel Branch Stream Restoration</u>	<u>Task</u>	<u>Intergovernmental Grant Fund</u>	<u>Professional and Consultant Services</u>	<u>City of Atlanta</u>
17210725	101	25013XXXX	5212001	COA

FDOA:

<u>Intergovernmental Grant Fund</u>	<u>DWM Greenway Planning & Acquisitions</u>	<u>Projects and Grants Budget</u>	<u>Planning and Zoning</u>	
2501	170602	5999999	7410000	

<u>McDaniel Branch Stream Restoration</u>	<u>To Be Determined by DOF</u>	<u>Default</u>	<u>Default</u>	<u>Default</u>
210725	XXXXX	0000	00000000	00000000

Section 2: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

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FINANCE/EXECUTIVE COMMITTEE**

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ADD TO ANTICIPATIONS

The amount of: \$390,000.00

PTAEO:

<u>McDaniel Branch Stream Restoration</u>	<u>Task</u>	<u>Intergovernmental Grant Fund</u>	<u>Professional and Consultant Services</u>	<u>City of Atlanta</u>
17210725	101	25013XXXX	5XXXXXX	COA

FDOA:

<u>Intergovernmental Grant Fund</u>	<u>DWM Greenway Planning & Acquisitions</u>	<u>Federal-Direct (OC) Received Direct</u>	<u>Planning and Zoning</u>
2501	170602	3311101	7410000

2501	170602	3311101	7410000	
<u>McDaniel Branch</u>	<u>To Be Determined by</u>			
<u>Stream Restoration</u>	<u>DOF</u>	<u>Default</u>	<u>Default</u>	<u>Default</u>
210725	XXXXX	0000	00000000	00000000

ADD TO APPROPRIATIONS

The amount of: **\$390,000.00**

PTAEO:

<u>McDaniel Branch</u>		<u>Intergovernmental Grant</u>	<u>Professional and</u>	
<u>Stream Restoration</u>	<u>Task</u>	<u>Fund</u>	<u>Consultant Services</u>	<u>City of Atlanta</u>
17210725	101	25013XXXX	5212001	COA

FDOA:

<u>Intergovernmental</u>	<u>DWM Greenway</u>			
<u>Grant Fund</u>	<u>Planning &</u>	<u>Projects and Grants</u>		
	<u>Acquisitions</u>	<u>Budget</u>	<u>Planning and Zoning</u>	
2501	170602	5999999	7410000	

<u>McDaniel Branch</u>	<u>To Be Determined</u>			
<u>Stream Restoration</u>	<u>by DOF</u>	<u>Default</u>	<u>Default</u>	<u>Default</u>
210725	XXXXX	0000	00000000	00000000

Section 2: That all ordinances and parts of ordinances that are in conflict with the provisions of this ordinance are waived to the extent of the conflict.

RCS# 125
3/15/10
2:19 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	E Bottoms	Y Willis
Y Winslow	Y Adrean	B Sheperd	NV Mitchell

CONSENT II

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (INTERGOVERNMENTAL GRANT FUND - 2501) BUDGET IN THE AMOUNT OF THREE HUNDRED NINETY THOUSAND DOLLARS AND NO CENTS (\$390,000.00) BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS FUNDS FOR THE GRANT FROM THE ENVIRONMENTAL PROTECTION AGENCY, ("EPA") PER THE INTERGOVERNMENTAL AGREEMENT WITH ENVIRONMENTAL PROTECTION DIVISION("EPD") FOR THE DESIGN AND CONSTRUCTION OF THE MCDANIEL BRANCH STREAM RESTORATION PROJECT; AND FOR OTHER PURPOSES.

Council Meeting Date: March 15, 2010

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to authorize the City of Atlanta to anticipate and appropriate funds from EPA section 319(h) grant in the amount of \$390,000 to fund a Stream Restoration Project of the McDaniel Branch on a City owned Greenway Property.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

In November 2008 the City of Atlanta applied for a grant with the US Environmental Protection Agencies (USEPA) Section 319(h) to fund a stream restoration project of the McDaniel Branch (08-R-2055). The USEPA approved the project with a total cost of six hundred fifty thousand dollars and no cents (\$650,000.00) with a local match of two hundred sixty thousand dollars and no cents (\$260,000.00), 40%. This project will help implement the Watershed Improvement Plan (WIP) which was completed in December 2008 in accordance with requirements of the Metropolitan North Georgia Water Planning District. The requirement is related to the District Wide Watershed Management Plan that is a regulatory requirement of the City's wastewater permits.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*): To be Built

Fund: _____, Account: _____, Center: _____, Function Activity _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: \$390,000

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: n/a

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Seham Abdulahad

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: Chief of Staff

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ Finance/Executive Committee _____

Chief of Staff Deadline: _____ February 23, 2010 _____

Anticipated Committee Meeting Date(s): _____ March 10, 2010 _____

Anticipated Full Council Date: _____ March 15, 2010 _____

Legislative Counsel's Signature: _____

Commissioner Signature: _____

Chief Procurement Officer Signature: _____ N/A _____

CAPTION

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER TO AMEND THE FY 2010 (INTERGOVERNMENTAL GRANT FUND - 2501) BUDGET IN THE AMOUNT OF THREE HUNDRED NINETY THOUSAND DOLLARS AND NO CENTS (\$390,000.00) BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS FUNDS FOR THE GRANT FROM THE ENVIRONMENTAL PROTECTION AGENCY, ("EPA") PER THE INTERGOVERNMENTAL AGREEMENT WITH ENVIRONMENTAL PROTECTION DIVISION("EPD") FOR THE DESIGN AND CONSTRUCTION OF THE MCDANIEL BRANCH STREAM RESTORATION PROJECT: AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$390,000.00

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____ (date)